
2002 Candidate's Manual



**State of Hawaii
Office of Elections
Dwayne D. Yoshina
Chief Election Officer
December 2001**

Quick Reference Guide

Upon taking out nomination papers, you will receive:

- ! a candidate's manual;
- ! a handbook of Hawaii's election laws;
- ! a copy of your completed application form; and
- ! an introductory letter from the State Ethics Commission (candidates for state offices only).

Before filing nomination papers, you should:

- ! register as a member of the political party in which you are a candidate (does not apply to nonpartisan, City & County of Honolulu, County of Kauai, County of Maui, County of Hawaii, BOE, or OHA candidates);
- ! gather more than the minimum number of required signatures of eligible voters on your nomination papers (see pages 71-79 for signature requirements);
- ! resign from public office if you are currently a state or county elected official whose term does not end at the upcoming election (see page 27 for additional information);
- ! submit to the Campaign Spending Commission the following (candidates for state and county offices only): (1) an organizational report; and (2) an "Affidavit of Compliance with Voluntary Campaign Expenditure Limits" if you decide to comply with the voluntary expenditure limits (see pages 35-42 for Campaign Spending information); and
- ! acquire the proper filing fee in the form of cash, money order, or cashier's/certified check (see pages 71-79 for filing fees).

When filing nomination papers, provide the following to the Office of Elections or the Office of the City/County Clerk:

- ! a certified copy of the affidavit from the Campaign Spending Commission if you are complying with the voluntary expenditure limits; and
- ! a current I.D. with picture and signature (for notary public), your filing fee, and your nomination papers.

After filing nomination papers:

Candidates for State Offices will:

- ! receive a receipt for your filing fee;
- ! receive a district map(s) of the political district in which the candidate is seeking office;
- ! file reports on campaign contributions and expenditures with the Campaign Spending Commission (see pages 1-7 for filing deadlines); and
- ! file financial disclosure forms with the State Ethics Commission (see pages 40-42 for State Ethics Commission requirements).

Candidates for City/County Offices will:

- ! file reports on campaign contributions and expenditures with the Campaign Spending Commission (see pages 1-7 for filing deadlines). Neighbor Island candidates may file reports at the Office of the County Clerk; and
- ! file financial disclosure forms with the appropriate Office of the City/County Clerk and/or County Board of Ethics (see pages 71-79 for filing requirements).



Message from the Chief Election Officer

Dear Candidate:

Congratulations on your decision to seek public elective office! Your willingness to serve in a position of public trust strengthens the foundations of our democratic system and provides voters with more choices. By demonstrating your desire for public service, you are helping to build a stronger Hawaii.

Please read this manual carefully. It presents basic information about our State, County, and Federal elections and provides information most often requested by candidates and their staff. If you need further assistance, please do not hesitate to contact the Office of Elections at 453-VOTE(8683). Neighbor island residents may call toll free, 1-800-442-VOTE(8683).

As we enter the 2002 campaign, I extend my warmest regards to you. May your campaign be challenging, exciting, and successful.

Very truly yours,

DWAYNE D. YOSHINA
Chief Election Officer

Note to Candidates

This manual is a reference source. It is not to be used as the authority on the Hawaii election laws for individuals or candidates. It is distributed with the understanding that the Office of Elections is not rendering legal advice and therefore the manual is not to be used as a substitute for legal counsel for the individual or candidate using it. In case of conflict, the law, regulation, or rule will apply.

Readers should consult the Hawaii Revised Statutes, the United States Constitution, the Hawaii State Constitution, the County Charters, Attorney General Opinions, and other sources for a complete and legal basis of the law.

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2002 Important Dates

Primary Election (7:00 a.m. to 6:00 p.m.) Sat., Sept. 21, 2002

General Election (7:00 a.m. to 6:00 p.m.) Tues., Nov. 5, 2002

Deadline to File Nomination Papers

Federal/State/County Candidates (4:30 p.m.) Tues., July 23, 2002

OHA Candidates (4:30 p.m.) Fri., Sept. 6, 2002

Primary Election

Last day to register to vote in the Primary Thurs., Aug. 22, 2002

First day to request mail-in absentee ballots Tues., July 23, 2002

Last day to request mail-in absentee ballots Fri., Sept. 13, 2002

Walk-in absentee voting begins Mon., Sept. 9, 2002

Walk-in absentee voting ends Thurs., Sept. 19, 2002

General Election

Last day to register to vote in the General Mon., Oct. 7, 2002

First day to request mail-in absentee ballots Tues., July 23, 2002

Last day to request mail-in absentee ballots Tues., Oct. 29, 2002

Walk-in absentee voting begins Tues., Oct. 22, 2002

Walk-in absentee voting ends Sat., Nov. 2, 2002

Special Nonpartisan Elections

The regularly scheduled Special Election for the City & County of Honolulu, County of Hawaii, County of Maui, and County of Kauai nonpartisan contests is held in conjunction with the Primary and General Elections. The regularly scheduled Special Election for the Board of Trustees of the Office of Hawaiian Affairs is held in conjunction with the General Election. Other Special Elections may be held in conjunction with the Primary or General Election as prescribed by law.

2002 ELECTION CALENDAR

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
Candidates	File organizational report with Campaign Spending Commission (HRS §11-194)	*see below
Candidates	Pick up nomination papers from Office of Elections or City/County Clerk (HRS §12-2.5)	Fri., Feb. 1, 2002
New Political Parties	File petition to form political party with Office of Elections (HRS §11-62)	Thurs., April 4, 2002
Political Parties	File party rules with Office of Elections (HRS §11-63)	Wed., April 24, 2002
Political Parties	Submit names of precinct officials to the Chief Election Officer (HRS §11-72)	Fri., May 24, 2002
Political Parties	File party officers with Office of Elections (HRS §11-64)	Mon., June 24, 2002
Voters	Request absentee mail ballots for Primary and/or General Election from City/County Clerk (HRS §15-4)	Tues., July 23, 2002
Candidates	Last day to file nomination papers for the Primary Election with Office of Elections or City/County Clerk (HRS §12-6)	Tues., July 23, 2002
Candidates	Submit request to withdraw from the Primary Election for any reason to Office of Elections or City/County Clerk (HRS §11-117)	Wed., July 24, 2002

* The Campaign Spending Commission requires candidates for the 2002 election to register with the Commission by filing an organizational report within ten days from the date the candidate or committee receives any contribution or makes any expenditure, the aggregate amount of which is more than \$100. If the threshold is not exceeded, candidates must file the organizational report within ten days of filing nomination papers with the Chief Election Officer or County Clerk.

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
Candidates	File 1 st Preliminary Primary Election report with Campaign Spending Commission (HRS §11-212)	Tues., July 30, 2002
Candidates	Last day to file organizational report with Campaign Spending Commission (HRS §11-194)	*Fri., Aug. 2, 2002
C&C Candidates	File C&C financial disclosure statements with the City Clerk (ROH §3-8.4(b)(1))	Tues., Aug. 6, 2002
City/County Clerks	Mail Primary Election absentee ballots to overseas voters (Recommended by the Federal Voting Assistance Program)	Sat., Aug. 17, 2002
Candidates, Parties, and Voters	File written objections to nomination papers for Primary Election candidates with Office of Elections or City/County Clerk (HRS §12-8)	Thurs., Aug. 22, 2002
Voters	Last day to register to vote for the Primary Election with City/County Clerk (HRS §11-24)	Thurs., Aug. 22, 2002
Candidates	Submit request to withdraw from Primary Election for reasons of ill health to Office of Elections or City/County Clerk (HRS §11-117)	Tues., Sept. 3, 2002
State Candidates	File candidate financial disclosure forms with State Ethics Commission (HRS §84-17)	Tues., Sept. 3, 2002
City/County, House, and Senate Clerks	Submit Constitutional Amendment questions, County Charter Amendment questions, and County Initiative questions to Office of Elections (HRS §11-119)	Fri., Sept. 6, 2002
Voters	Request absentee mail ballots for General Election from City/County Clerk (HRS §15-4)	Fri., Sept. 6, 2002
OHA Candidates	Last day to file nomination papers with Office of Elections or County Clerk (HRS §12-6)	Fri., Sept. 6, 2002

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
OHA Candidates	Submit request to withdraw from OHA Election for any reason to Office of Elections (HRS §11-117)	Sat., Sept. 7, 2002
City/County Clerks	Open Primary Election walk-in absentee polling places (HRS §15-7)	Mon., Sept. 9, 2002
Candidates	File 2 nd Preliminary Primary Election report with Campaign Spending Commission (HRS §11-212)	Wed., Sept. 11, 2002
Political Parties	Submit names of poll watchers for the Primary Election to Office of Elections or County Clerk (HRS §11-77)	Wed., Sept. 11, 2002
Voters	Last day to request absentee mail ballots for Primary Election from City/County Clerk (HRS §15-4)	Fri., Sept. 13, 2002
OHA Candidates	Last day to file organizational report with Campaign Spending Commission (HRS §11-194)	*Mon., Sept. 16, 2002
Candidates	File Primary Election Late Contributions Report with Campaign Spending Commission (HRS §11-207.5)	Wed., Sept. 18, 2002
Voters	Last day to vote at Primary Election walk-in absentee polling places (HRS §15-7)	Thurs., Sept. 19, 2002
	PRIMARY ELECTION (HRS §12-2)	Sat., Sept. 21, 2002
Candidates, Parties, and Voters	File complaint on contest for cause in Primary Election with Hawaii State Supreme Court (HRS §11-173.5)	Fri., Sept. 27, 2002
City/County Clerks	Mail General Election absentee ballots to overseas voters (Recommended by the Federal Voting Assistance Program)	Tues., Oct. 1, 2002

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
Voters and Candidates	File objections to nomination papers for OHA candidates with Office of Elections (HRS §12-8)	Mon., Oct. 7, 2002
Voters	Last day to register to vote for General Election with City/County Clerk (HRS §11-24)	Mon., Oct. 7, 2002
Candidates	File Final Primary Election report with Campaign Spending Commission (HRS §11-213)	Fri., Oct. 11, 2002
Candidates	File expense report on use of public funds in Primary Election with Campaign Spending Commission (HRS §11-224)	Fri., Oct. 11, 2002
OHA Candidates	File candidate financial disclosure forms with State Ethics Commission (HRS §84-17)	Wed., Oct. 16, 2002
Candidates	Submit request to withdraw from General/OHA Election for reasons of ill health to Office of Elections or City/County Clerk (HRS §11-117)	Wed., Oct. 16, 2002
City/County Clerks	Open General Election walk-in absentee polling places (HRS §15-7)	Tues., Oct. 22, 2002
General & OHA Candidates	File Preliminary General Election report with Campaign Spending Commission (HRS §11-212)	Fri., Oct. 25, 2002
Political Parties	Submit names of poll watchers for General Election to Office of Elections or County Clerk (HRS §11-77)	Fri., Oct. 25, 2002
Voters	Last day to request absentee mail ballots for General and OHA Elections from City/County Clerk (HRS §15-4)	Tues., Oct. 29, 2002
Candidates	File General Election Late Contributions Report with Campaign Spending Commission (HRS §11-207.5)	Fri., Nov. 1, 2002
Voters	Last day to vote at General Election walk-in absentee polling places (HRS §15-7)	Sat., Nov. 2, 2002

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
	GENERAL ELECTION (State Constitution, Article II, Section 8)	Tues., Nov. 5, 2002
Candidates, Parties, and Voters	File complaint on contest for cause in General and/or OHA Elections with Hawaii State Supreme Court (HRS §11-174.5)	Mon., Nov. 25, 2002
Candidates	File Final Election Period report with Campaign Spending Commission (HRS §11-213)	Thurs., Dec. 5, 2002
Candidates	File expense report on use of public funds in General Election with Campaign Spending Commission (HRS §11-224)	Thurs., Dec. 5, 2002
Candidates	File final Application for Public Funds for 2002 elections with Campaign Spending Commission (HRS §11-222)	Thurs., Dec. 5, 2002
Candidates	File Supplemental Report on deficit/surplus funds with Campaign Spending Commission (HRS §11-213)	Thurs., Jan. 30, 2003
State (Office of Elections)	Determine political party disqualifications (HRS §11-65)	Wed., March 5, 2003
Candidates	File Supplemental Report on deficit/surplus funds with Campaign Spending Commission (HRS §11-213)	Wed., July 30, 2003

HRS = Hawaii Revised Statutes

OHA = Office of Hawaiian Affairs

ROH = Revised Ordinances of Honolulu

§ = Section

REQUIREMENTS AND/OR DEADLINES MAY CHANGE. CONSULT THE HAWAII REVISED STATUTES AND OTHER SOURCES FOR MORE DETAILED AND ACCURATE REQUIREMENTS.

General Information

Voter Registration Qualifications

Pursuant to the Constitution of the State of Hawaii, Article II, Section 1, a voter registration applicant must be:

1. A citizen of the United States;
2. A resident of the State of Hawaii; and
3. At least sixteen (16) years of age.

NOTE: Hawaii law allows individuals to pre-register at the age of sixteen (16), but must be eighteen (18) years old by election day to vote.

Wikiwiki Voter Registration

The Wikiwiki “Affidavit on Application for Voter Registration Form” is a self-subscribing affidavit designed to make voter registration more accessible and convenient to the residents of Hawaii. Completing a Wikiwiki voter registration form and mailing it directly to the Office of the City/County Clerk allows a person to register to vote.

Wikiwiki Voter Registration forms are available at:

- C Verizon “Hawaii Super Pages”
- C All Public Libraries
- C All U.S. Post Offices
- C Offices of the City/County Clerk
- C State of Hawaii Tax Booklet Insert
- C Internet at www.state.hi.us/elections

- C Most State Agencies
- C Satellite City Hall Locations

Re-Registration

If you are already a registered voter, but have recently moved or changed your name, you will need to re-register by completing a Wikiwiki voter registration form (see page 8 for locations where forms are available).

Absentee Voting

Hawaii Revised Statutes, Section 15-2 allows any person registered to vote in the State of Hawaii to cast an absentee ballot by mail or in person. There are two ways to vote by absentee ballot:

Absentee Walk

To vote an absentee ballot in person, you must visit an Absentee Polling Place established by the Office of the City/County Clerk in the county where you are registered to vote.

Absentee Mail

To vote an absentee ballot by mail, you must submit an “Application for Absentee Ballot” to your local City/County Clerk.

Additionally

- C Ballots for the Primary and General Elections may be requested at the same time.
- C You may indicate two forwarding addresses if your address will differ from the Primary Election to the General Election.
- C If there is a chance your ballot will reach your forwarding address before you arrive, please check the box marked “Hold for Arrival” on your “Application for Absentee Ballot.”
- C All absentee ballots must be received by the City/County Clerk

no later than the close of polls on election day (6:00 p.m.).

The Hatch Act

The Hatch Act restricts the political activity of executive branch employees of the federal government, the District of Columbia D.C. and certain state and local agencies. In 1993, Congress passed legislation that substantially amended the Hatch Act, allowing most federal and D.C. employees to engage in many types of political activity. These amendments did not change the provisions applying to state and local employees.

With the 1993 amendments, most federal and D.C. employees are now permitted to take an active part in political management or in political campaigns. However, some federal agencies and categories of employees continue to be prohibited from engaging in political activity.

The Hatch Act applies to four categories of civilian public employees **(see page 11 for restrictions)**.

If you are unsure about your employee status, it is recommended that you:

- C check with your employer regarding your eligibility; and
- C contact the Federal Hatch Act Unit.

Hatch Act Unit
U.S. Office of Special Counsel
1730 Main Street, North West, Suite 300
Washington D.C. 20036-4505

Phone: 1-800-854-2824
Internet (URL): www.osc.gov

Hatch Act

Restrictions for Civilian Public Employees

	Categories of Civilian Public Employees	These Employees May Not
1	Most persons employed by the United States Federal government	<p>Be a candidate for public office in partisan elections;</p> <p>Use their official authority or influence to interfere with an election;</p> <p>Engage in partisan political activity while on duty, while in any government office, while wearing an official uniform, or while using a government vehicle;</p> <p>Solicit, accept, or receive political contributions under most circumstances; or</p> <p>Knowingly solicit or discourage the partisan political activity of any person who has business before the agency.</p>
2	Employees of the United States Federal government who were specifically excluded from provisions of the 1993 amendments to the Act that eased restrictions on the other categories of federal employees.	Same Restrictions as Category 1 plus they are prohibited from actively engaging in any partisan political efforts.
3	Federal employees who are political appointees serving at the pleasure of the President of the United States.	<p>Same Restrictions as Category 1 plus pay for costs associated with such activity from U.S. Treasury funds; or</p> <p>Act contrary to any additional restrictions imposed by the Administration on political appointees.</p>
4	Employees of State or local government who are principally employed in connection with an activity which is funded in whole or in part by loans or grants made by the United States or a federal agency.	<p>Be a candidate for public office in partisan elections;</p> <p>Use their official authority or influence to interfere with an election; or</p> <p>Directly or indirectly coerce contributions from subordinates in support of a political party or candidate.</p>

Admission to the Polling Place

A candidate may vote, if registered to vote in that precinct, and observe the voting process to see that voting is progressing correctly and fairly.

Candidates should identify themselves to the Precinct Chairperson when entering the polling place and should refer all questions or complaints to the Precinct Chairperson, the Office of Elections, or the Office of the City/County Clerk.

Prohibited Activities

Campaign activities for the purpose of influencing votes are prohibited within the polling place and within an area of 200-feet from the perimeter of the polling place and its appurtenances on election day (Section 11-132 and 19-6, HRS).

Automobiles and other vehicles with political signs and stickers may remain within the 200-foot perimeter of the polling place only during the time that the owner (voter) is actually voting.

Other activities not allowed within the 200-foot perimeter of the polling place on election day:

- Ⓒ political signs on public or private property;
- Ⓒ political clothing, including armbands, hatbands, shirts, muumuus, dresses, and campaign buttons;
- Ⓒ campaign pamphlets or other literature;
- Ⓒ public address systems and other public communication media;
- Ⓒ motor caravans or parades; and
- Ⓒ entertainment troupes or free goods and/or services.

Candidates and their supporters are urged to check the 200-foot perimeter around each polling place and its appurtenances prior to election day to ensure compliance with the law. Regional election maps which depict the 200-foot perimeter around each polling place and its appurtenances are available at the Office of Elections and the respective Office of the City/County Clerk. A map will also be posted at the polling place prior to the opening of polls.

Poll Watchers & Activities of a Poll Watcher

An authorized poll watcher may observe the conduct of the election in the polling place after presenting official identification to the Precinct Chairperson. Poll watchers are limited to the following activities:

- C Only one poll watcher (per party) at a time is permitted in a polling place;
- C Designated alternate poll watchers may relieve a poll watcher;
- C Each poll watcher may call any observed violation of election laws to the attention of the Precinct Chairperson. If the violation is not corrected, the poll watcher may appeal to the Clerk of each county;
- C When there is a reasonable break in voting activities, the poll watcher may turn the pages of the pollbook with permission from the Precinct Chairperson;
- C Poll watchers may not interfere with the orderly process of the election;
- C Poll watchers may not engage in any kind of activity for the purpose of influencing votes; and
- C Poll watchers may not use polling place telephones.

Persons Not Able to Serve as Precinct Officials

Relatives of candidates (fathers, mothers, husbands, wives, sons, daughters, brothers and sisters) are prohibited from serving as precinct officials where the candidate's name appears on the ballot (Section 11-72, HRS).

Advertising

To the extent authorized by law, all political advertisements authorized by a candidate or a candidate's committee shall contain the name and address of the candidate, committee, or party paying for the advertisement. If the advertisement is not authorized by a candidate or a candidate's committee, the advertisement shall contain the name and address of the person paying for the advertisement (Section 11-215, HRS).

In addition to this requirement, no person shall cause or submit any advertisement in support of a candidate or against a candidate's opponents, to be published, broadcast, televised, or otherwise circulated and distributed except under the following conditions:

Advertisements Authorized by the Candidate

The advertisements must contain a prominent notice that the advertisement is approved and authorized by the candidate, except that advertisements paid for by the candidate or candidate's committee do not need to include the notice of approval and authority.

Advertisements Not Authorized by the Candidate

The advertisement must contain a prominent notice that the advertisement is published, broadcast, televised, or circulated without the approval and authority of the candidate.

Bumper stickers and other small campaign items are not covered by this requirement (Section 11-215, HRS).

All candidates are urged to check their respective County ordinance(s) regulating campaign signs and advertisements.

Election Process

Primary Election

Hawaii's Primary Election is held on the second to the last Saturday of September in every even-numbered year. The next Primary Election will be held on **September 21, 2002** (Section 12-2, HRS).

The "single party" Primary Election is a nomination process that determines which candidate(s) will represent their respective parties in the General Election. Each political party/non-partisan ballot is indicated by its own color. For this purpose, Hawaii State Law requires voters to select and vote for candidates in **ONE AND ONLY ONE** color-coded ballot (section).

The ballot card also includes the "Special Nonpartisan Offices" Election which include the City & County of Honolulu, the County of Hawaii, the County of Maui, the County of Kauai elections, and the Board of Education elections. The "Special Nonpartisan Offices" election will appear in the white ballot (section).

Ballot Access to the Primary Election and Special Elections held in Conjunction with the Primary Election

Board of Education Candidates

The Board of Education election is a nonpartisan election. Individuals who wish to run for the Board of Education will appear on the "Special Nonpartisan Offices" ballot. If there are only two candidates for a seat in a Board of Education departmental school district seat with residency requirements, the two candidates will be nominated and will go directly to the General Election. The names of the candidates will not appear on the Primary Election ballot.

County Candidates

All elections in the City & County of Honolulu, County of Hawaii, County of Maui, and County of Kauai are nonpartisan elections. Individuals who wish to run for County offices will appear on the "Special Nonpartisan Offices" ballot.

County of Maui

If there are two or fewer candidates for a Mayoral or a Council seat, the names of the candidates shall appear only on the ballot for the Second Special Election held in conjunction with the General Election. The names of the candidates will not appear on the First Special Election ballot held in conjunction with the Primary Election.

Nonpartisan Candidates

Individuals not affiliated with any qualified political party in Hawaii may run as a nonpartisan candidate in all partisan offices. Nonpartisan candidates will appear on a separate nonpartisan ballot in the Primary Election.

Political Party Candidates

Individuals who wish to appear on the ballot as a candidate of a qualified political party in Hawaii must belong to the specific political party and will appear on their respective party ballot in the Primary Election. Currently, the Democratic, Republican, Hawaii Green, and Natural Law parties are qualified in Hawaii. New political parties have until **April 4, 2002 (4:30 p.m.)** to file a petition to qualify for the 2002 elections. A revised list of parties will be added to this manual as additional political parties become qualified.

General Election

The General Election is held on the first Tuesday after the first Monday in November in all even-numbered years. The next General Election will be held on **November 5, 2002** (Hawaii State Constitution, Article II, Section 8).

The General Election is held after the Primary Election to determine which of the candidates nominated in the Primary will take office. To be placed on the General Election ballot, individuals must be nominated in a Primary or a Special Primary Election.

Ballot Access to the General Election and Special Elections held in Conjunction with the General Election

Candidates are nominated for the General Election as follows:

Board of Education Candidates

The two candidates receiving the most votes for each available office shall be nominated for the General Election (Section 13-3, HRS).

City & County of Honolulu Candidates

If no candidate receives a majority (50% plus one) of the votes cast for the office in the First Special Election, held in conjunction with the Primary Election, a Second Special Election will be held in conjunction with the General Election. The two candidates who receive the most votes will appear on the Second Special Election ballot. The candidate who receives the highest number of votes at the Second Special Election is deemed elected. This applies to all contests except for filling vacancies.

County of Hawaii Candidates

If no candidate receives a majority of the votes cast for the office in the First Special Election, held in conjunction with the Primary Election, a Second Special Election will be held in conjunction with the General Election. The two candidates who receive the most votes will appear on the Second Special Election ballot. The candidate who receives the highest number of votes at

the Second Special Election is deemed elected.

County of Kauai Candidates

- C Offices of the Mayor and Prosecuting Attorney:** If no candidate receives a majority (50% plus one) of the votes cast for the office in the First Nonpartisan Election, held in conjunction with the Primary Election, a Second Nonpartisan Election will be held in conjunction with the General Election. The two candidates who receive the most votes for the office will appear on the Second Nonpartisan Election ballot.

The candidate who receives the highest number of votes at the General Election is deemed elected.

- C Offices of At-Large Councilmembers:** The candidates receiving the highest number of votes shall be elected to fill each at-large council office provided the candidate or candidates receive at least (30%) of all votes cast for all at-large council office in the First Nonpartisan Election, held in conjunction with the Primary Election.

If any at-large council office remains to be filled after the First Nonpartisan Election, two candidates for each vacant at-large council office shall be placed on the ballot. The names of the candidates receiving the highest number of votes cast in the First Nonpartisan Election, other than the name of any candidate elected after the First Nonpartisan Election, shall be placed on the ballot until a sufficient number of candidates are on the ballot as provided in this subsection.

At the Second Nonpartisan Election, the candidates receiving the highest number of votes for each vacant at-large office shall be elected.

County of Maui Candidates

- C At the First Special Election:** The two candidates receiving the highest number of votes for each seat shall be placed on the ballot for the Second Special Election; provided that if two or more candidates tie for the highest number of votes received in the First Special Election, the names of the candidates tied for the highest number of votes shall be placed on the ballot for the Second Special Election; and further provided, that if a single candidate receives the highest number of votes on the First Special Election and two or more candidates tie for the second-highest number of votes received, the names of the candidate receiving the highest number of votes and

the candidate tied for the second-highest number of votes shall be placed on the ballot for the Second Special Election.

- C At the Second Special Election:** If there are two or fewer candidates for a seat, the names of the candidates shall appear only on the ballot for the Second Special Election, held in conjunction with the General Election.

Nonpartisan Candidates

To qualify for the General Election, nonpartisan candidates must meet one of the following qualifications:

- C receive at least ten per cent (10%) of the total votes cast for the office for which the person is a candidate at the Primary Election;

OR

- C receive a vote equal to the lowest vote received by the partisan candidate who was nominated in the Primary Election for that office.

If more nonpartisan candidates qualify to run in the General Election than there are offices (seats) available, there shall be certified as candidates those receiving the highest number of votes, but not more candidates than there are offices (seats) to be elected (Section 12-41(b), HRS).

NOTE: Nonpartisan qualification provisions for the General Election noted above do not apply to candidates running for Board of Education, County of Hawaii, County of Maui, County of Kauai, and City & County of Honolulu offices.

Political Party Candidates

The person(s) receiving the greatest number of votes at the Primary Election as a candidate of a party for an office shall be the candidate of the party in the General Election, but not more candidates for a party than there are offices (seats) to be elected (Section 12-41(a), HRS).

Unopposed Candidates in the General Election and Special Elections held in Conjunction with the General Election

appear on the General Election ballot.

State Senate or State House of Representatives

Candidates for state legislative offices who are nominated in the Primary Election and are unopposed in the General Election shall be declared duly and legally elected to the office sought after the Primary Election regardless of the number of votes received by that candidate (Article III, Section 4, Hawaii State Constitution).

Board of Education Candidates

Candidates for Board of Education who meet the nomination requirements and are unopposed at the close of filing of nomination papers are elected at the close of filing and will not appear on the Primary or General Election ballots (Section 13-3(b), HRS).

City & County of Honolulu Candidates

A candidate who received a majority of votes cast (50% plus one) for the office in the First Special Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election.

County of Hawaii Candidates

A candidate who received a majority of votes cast or is unopposed for the office in the First Special Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election.

County of Kauai Candidates

- C Offices of the Mayor and Prosecuting Attorney:** A candidate who received a majority (50% plus one) of the votes cast for the office in the First Nonpartisan Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Nonpartisan Election.

- C Offices of At-Large Councilmembers:** A candidate(s) who received at least thirty percent (30%) of all votes cast for all at-large council office in the First Nonpartisan Election, held in conjunction with the Primary Election, is deemed elected.

Candidate Filing Process

The Candidate Filing Process enables qualified individuals to have their names appear on the Primary Election ballot or the Special Election ballot.

Qualifications for Office

Qualifications vary according to the elective office sought. Qualifications for specific offices are found on pages 71-79. Four qualifications apply to all offices.

Each candidate must:

1. be a citizen of the United States;
2. be at least eighteen (18) years of age;
3. be a resident and registered voter of the State of Hawaii; and
4. if applicable, provide final discharge for any felony conviction.

Residency Requirements

State Elective Offices

A candidate running for state elective office with a district residency requirement must be a qualified voter of the district from which he/she seeks election.

City/County Elective Offices

Candidates running for City/County offices should check their respective charters for county-specific district residency requirements.

Nomination Papers

All candidates for elective office must file nomination papers to appear (be listed) on the State of Hawaii's ballot (Section 12-3, HRS).

Nomination papers are available at the following offices:

Office of Elections

Nomination papers for federal and state elective offices only, including the Special Election for the Office of Hawaiian Affairs Board of Trustees, are available at the Office of Elections.

Office of the City Clerk of the City & County of Honolulu

Nomination papers for City & County of Honolulu elective offices are only available at the Office of the City Clerk.

Office of the County Clerk of the Counties of Hawaii, Maui, and Kauai

Nomination papers for all federal, state, and county elective offices on Hawaii, Maui, and Kauai are available at the respective Office of the County Clerk. Candidates residing on Molokai or Lanai should request nomination papers from the Office of the County Clerk, County of Maui.

NOTE: NOMINATION PAPERS FOR COUNTY OFFICES ARE ONLY AVAILABLE FROM THE RESPECTIVE COUNTY.

Candidates may take out more than one set of nomination papers if they have not decided which office to run for. Candidates, may not however, file nomination papers for more than one party or for more than one office; nor shall any person file nomination papers both as a party candidate and as a nonpartisan candidate (Section 12-3, HRS). Candidates need not return nomination papers should they decide not to run for elective office.

Changes to nomination papers

New nomination papers are required if the candidate desires to change the candidate's name, the office or district sought, or the party affiliation. Filing requirements and deadlines remain unchanged.

Incomplete or altered nomination papers

Nomination papers which are incomplete (does not contain all of the required certifications, signatures, and requirements of Section 12-3, HRS) or which contain alterations/changes made by anyone other than the Chief Election Officer or City/County Clerk shall be void and will not be accepted for filing by the Chief Election Officer or City/County Clerk.

Lost Nomination Papers

Candidates who lose their nomination papers should contact the office that issued the nomination papers for another set. Candidates are responsible for acquiring the required number of signatures on the reissued nomination papers. Filing requirements and deadlines remain unchanged.

The Office of Elections and the Offices of the City/County Clerks will provide candidates with as much assistance as possible. It is the candidate's responsibility, however, to fulfill all of the requirements. To this end, each candidate is advised to file nomination papers early and to allow ample time to comply with all of the filing requirements.

Felons

Under the "Uniform Act on Status of Convicted Persons," a person sentenced for a felony may not become a candidate for or hold public office from the time of the person's sentence until the person's final discharge (Section 831-2, HRS). A felon must receive final discharge before he/she is eligible to file nomination papers.

Signature Requirement

Prior to being filed, nomination papers must be signed by a specific number of properly registered voters who are qualified to vote for the candidate. The candidate is responsible for ensuring that there are sufficient signatures of qualified voters on his/her nomination papers. The number of required signatures varies according to the office sought. See pages 71-79 for specific signature requirements.

To be valid, each signatory:

1. must be registered to vote in the district from which the candidate seeks election;

NOTE: Voter registration affidavits that have not been entered into the voter register by the clerk shall not be considered or accepted when determining whether a signatory is eligible to sign a candidate's nomination paper (Section 12-4(b), HRS).

2. may sign nomination papers for only one candidate for a particular elective office if there is only one seat available; and

NOTE: If more than one seat is available for election, a signatory may sign as many nomination papers as there are available seats (Section 12-4(a), HRS).

3. must include name, signature, date of birth, social security number, and residence address for verification (Section 12-3(a)(5), HRS).

NOTE: Mailing addresses **will not** be accepted in place of residence address.

Candidates are advised to file their nomination papers early and to obtain more signatures than required in anticipation of invalid or unqualified signatories. Once nomination papers are filed and the filing fee is accepted, candidates will not be allowed to add more signatures to their nomination papers.

Withdrawal of Signatures

Voters may withdraw their signature from a candidate's nomination paper by providing written notice to the Chief Election Officer or City/County Clerk, in the case of a county office, anytime before the candidate's nomination paper is filed. State law also requires that the notice of withdrawal must be received by the Chief Election Officer or City/County Clerk no later than 4:30 p.m. on the fourth business day prior to the close of filing.

Any request received after the candidate's nomination papers is filed or after the fourth business day prior to the close of filing will not be accepted.

The written notice must include the voter's name, social security number, residence address, date of birth, the voter's signature, the name of the candidate, and a statement that the voter wishes to remove the voter's signature from the candidate's nomination paper. The candidate shall be sent written notice, within 24 hours of receipt of a request, that the voter has withdrawn his/her signature from the candidate's nomination papers and that the voter's signature will not be counted.

Filing of Nomination Papers

Candidates must file nomination papers at the office of issuance. Filing deadlines are:

TUESDAY, JULY 23, 2002, 4:30 p.m.

for regular federal, state, and county elections, and Special Primary or Special Elections held in conjunction with the Primary Election; and

FRIDAY, SEPTEMBER 6, 2002, 4:30 p.m.

for the Office of Hawaiian Affairs and other Special Elections held in conjunction with the General Election.

We recommend that all candidates file their nomination papers early. State law prohibits exceptions or extensions to the filing deadlines.

Resignation from Office

Elected state or county public officials must resign from the office currently held before being eligible as a candidate for another state or county elective office. This applies only if the term of the office presently held is not normally scheduled for election in the same year as the office sought. The candidate must resign from the office currently held before filing nomination papers (Hawaii State Constitution, Article II, Section 7).

Candidate Name on Ballot

Each candidate **must** designate the name that he/she wishes to appear on the ballot, including Hawaiian and/or English equivalents or nicknames, at the time of filing. Each candidate is allowed a maximum of 27 characters on the ballot for his/her name. The 27 characters include all letters, blank spaces, and punctuation marks. **Titles are not permitted as part of a candidate's ballot name** (Section 2-52-4, Hawaii Administrative Rules).

All candidates' names will be in the format prescribed by the Office of Elections to ensure consistency and equality. The Chief Election Officer is authorized to confirm all names printed on the ballot to the format prescribed in Section 2-52-4, Hawaii Administrative Rules.

Candidates verify and confirm the correct spelling of their ballot name at the time of filing. Once nomination papers are filed, the candidate's designated ballot name is not altered except for changes made by the Office of Elections to ensure consistency and equality.

Filing Fee

The filing fee, which varies with the office sought, must be paid by cash, money order, or certified/cashier's check. **Personal or campaign checks are not accepted.** Additionally, the filing fee is non refundable (Section 11-117, HRS).

Candidates who run for a **state** or **federal** office and file their nomination papers in the **Counties of Hawaii, Maui, or Kauai** are asked to pay their filing fee by money order or certified/cashier's check.

See pages 71-79 for the specific filing fees. Certified/cashier's check or money orders should be made payable to:

- c State or Federal Candidates - Office of Elections
- c County of Hawaii Candidates - Director of Finance
- c County of Maui Candidates - County of Maui
- c County of Kauai Candidate - Director of Finance
- c City & County of Honolulu Candidates - City & County of Honolulu

Discounted Filing Fee

Candidates for state and county offices who agree to abide by the State's voluntary campaign expenditure limits may receive discounted filing fees by filing an "Affidavit of Compliance with the Voluntary Campaign Expenditure Limits" with the Campaign Spending Commission prior to or at the time of filing nomination papers with the Chief Election Officer or the City/County Clerk. To receive the discounted filing fee, the candidate must provide the Chief Election Officer or the City/County Clerk with a certified copy of the affidavit at the time of filing (Section 12-6, HRS).

NOTE: Candidates who do not have a certified copy of the affidavit are advised that a delay may occur during filing, while the affidavit is certified by the Campaign Spending Commission.

Candidates Who Agree to Comply With and Exceed the Spending Limits

Candidates who agree to the expenditure limits but subsequently exceed the respective expenditure limit must pay the full filing fee and notify the Chief Election Officer, all contributors and opponents, and the Campaign Spending Commission that the expenditure limitations are exceeded.

Candidates Who Are Indigent

Candidates who declare themselves indigent via an affidavit may have the filing fee waived. The declaration must be accompanied by a petition signed by registered voters who constitute at least one-half of one percent ($\frac{1}{2}\%$) of the total voters registered at the last preceding General Election in the district from which the indigent person seeks election (Section 12-6, HRS). Indigent candidates must file nomination papers and comply with other filing requirements.

Objection to a Candidate's Nomination Papers

Objection or challenge of a candidate may be made by the Chief Election Officer, the City/County Clerk (in county elections), a registered voter, or an officer of a qualified political party. Except for objections made by an officer of a political party, all objections must be received in writing by the Chief Election Officer or County Clerk not later than 4:30 p.m. on the 30th day prior to the election (or the next working day if that day is a Saturday, Sunday, or holiday). If a political party objects to the nomination papers filed by a party candidate, an officer of the party must file a complaint in the Circuit Court for a determination of the objection (Section 12-8, HRS).

Candidates will be notified of any challenge by registered or certified mail. See Section 12-8, HRS, for more specific information on challenges, evidentiary hearings, and decisions

Certification by Candidates

All of the certifications listed below, except for the Oath of Loyalty/Affirmation which must be taken before a notary public, must be certified by the candidate by self-subscribing oath. Under Section 19-3.5, HRS, any person who knowingly takes an oath prescribed or authorized by law and wilfully makes any false statement of fact while under oath therein shall be guilty of voter fraud which is a Class C felony punishable by up to five years imprisonment and/or a \$10,000 fine.

All Candidates

Each candidate must certify, by signing a self-subscribing oath on the nomination papers, that he/she:

- C will qualify under the law for the office sought;
- C has determined that all of the information on the nomination papers is true and correct, except for the information provided by the registered voters who signed the nomination papers (signatories);
 and
- C is in compliance with (Section 831-2, HRS) Rights Lost and (Section 12-3, HRS) Dealing with Felons.

NOTE: Candidates who have not received final discharge for a felony conviction are ineligible to be a candidate for public elective office in Hawaii (Section 831-2, HRS).

Partisan Candidates

Each partisan candidate must also certify, by signing a self-subscribing oath on the nomination papers, that he/she is a member of the political party listed on the nomination papers (Section 12-3, HRS).

NOTE: Candidates who are not bona fide members of a political party may be challenged and disqualified on that basis.

Oath of loyalty/affirmation

Each candidate must take and subscribe to a prescribed written Oath of Loyalty or Affirmation before a notary public or a public officer authorized by law to administer oaths (Section 12-7, HRS). The Oath of Loyalty or Affirmation is printed on the nomination papers and may be completed before or at the time of filing. Candidates must provide the notary public with an identification card containing the person's picture and signature (e.g., driver license or state I.D.) when the Oath of Loyalty or Affirmation is subscribed to before the notary public.

Withdrawal of Candidates

Candidates who have filed nomination papers may withdraw their candidacy:

For any reason

Candidates may withdraw for any reason not later than the day immediately following the deadline to file nomination papers. To withdraw, the candidate must submit a written notice to the Chief Election Officer (candidate for federal and state offices) or to the appropriate City/County Clerk (candidate for county office). The Office of Elections and the Offices of the City/County Clerks will be open on Saturday, September 7, 2002 from 9:30 a.m. to 4:30 p.m. to receive withdrawals from OHA candidates. See pages 1-7 for filing deadlines (Section 11-117, HRS).

For reasons of ill health

Candidates may withdraw for reasons of ill health not later than the 20th day prior to the election. To withdraw, the candidate must submit a written notice accompanied by a statement from a licensed physician indicating that such ill health may endanger the candidate's life. See pages 1-7 for filing deadlines (Section 11-117, HRS).

Other Requirements

In addition to nomination papers, candidates are required to file the following:

Federal Elective Offices

- C Campaign finance reports with the Federal Election Commission (see page 33-34); and
- C Personal financial statements with the Office of the Clerk of the U.S. House of Representatives or the Secretary of the U.S. Senate (see page 33).

State Elective Offices

- C Campaign spending reports with the Campaign Spending Commission (see pages 35-42); and
- C Financial disclosure reports with the State Ethics Commission (see pages 43-46).

County Elective Offices

- C Campaign spending reports with the Campaign Spending Commission or County Clerk (see pages 35-42); and
- C Financial disclosure reports with the County Board of Ethics and/or the County Clerks (see pages 43-46).

NOTE: Candidates for Kauai County contests must file financial disclosure reports directly with the County Board of Ethics in the Office of the Mayor.

Federal Elective Office

Federal candidates must comply with the requirements of the Federal Election Campaign Act of 1971, as amended (the Act). The Act regulates the financing of campaigns for federal office, including candidates for the Office of the President, the United States Senate and the United States House of Representatives. The Act also regulates any person or political committee that makes a contribution or expenditure to influence a federal election. The Federal Election Commission (FEC) administers the Act, which is codified under Title 2 of the United States Code.

Federal Election Commission (FEC)

The FEC is an independent regulatory agency established in 1974 to administer and enforce the Federal Election Campaign Act. The FEC is composed of six voting members, appointed by the President and confirmed by the U.S. Senate.

The FEC administers and enforces the Act, which covers three broad areas:

- ! disclosure of campaign finance information reported by political committees;
- ! contributions and expenditures made to influence Federal elections; and
- ! public funding of Presidential Elections.

Campaign Finance Reports

Federal law defines a candidate for federal office as an individual who seeks nomination or election to that office and who has received contributions or made expenditures in excess of \$5,000, or who has given his or her consent to another person to do so.

An individual exceeding this \$5,000 threshold must, within 15 days, register as a candidate by filing a Statement of Candidacy (FEC Form 2) authorizing a principal campaign committee to raise and spend funds on his/her behalf. The committee must, within 10 days of the filing of the Statement of Candidacy, submit a Statement of Organization (FEC Form 1) and thereafter report its receipts and disbursements on a regular basis. Candidates for U.S. House of Representatives file with the FEC. Candidates for U.S. Senate file with the Secretary of the Senate.

Contact the FEC for more information on the Federal Election Campaign Act or other campaign filing deadlines.

Personal Financial Statement

In addition to the campaign finance reports, federal candidates are required to file personal financial statements. Candidates for U.S. House of Representatives should file the statement with the Office of the Clerk of the U.S. House of Representatives. Candidates for U.S. Senate should file statements with the Secretary of the U.S. Senate. The forms are usually sent to candidates by the respective offices.

For More Information

Federal Election Commission
Information Services
Washington, D.C. 20463

OR

Federal Election Commission
999 E. Street
Washington, D.C. 20463

Telephone: 1 (800) 424-9530
Fax: (202) 219-8504

Campaign Spending Commission

The State Campaign Spending Law was created to promote public participation in the electoral process through activities designed to open up the financing of political campaigns to public scrutiny and participation. The law is administered by the Campaign Spending Commission and is set forth in Chapter 11, Part XII (B) of the Hawaii Revised Statutes (HRS).

The Campaign Spending Commission, consisting of five members appointed by the Governor from nominees selected by the Judicial Council, is responsible for regulating campaign contributions and expenditures through its executive director and staff.

The functions of the Campaign Spending Commission are to:

- C obtain disclosure of political campaign contributions and expenditures;
- C assure compliance with contribution and voluntary expenditure limitations;
- C administer partial public funding of qualifying candidates' campaigns; and
- C prosecute law violations.

Highlights of Campaign Spending Law

For purposes of registering with the Campaign Spending Commission, an individual who seeks nomination for election or seeks election to an office is a candidate, if the individual does any of the following:

- C files nomination papers; or
- C receives contributions in an aggregate amount of more than \$100 or makes or incurs any expenditures of more than \$100 to bring about the individual's nomination or election to office;

- c gives consent to another person to receive contributions or make expenditures;
- c is certified to be a candidate by the Chief Election Officer or City/County Clerk.

All candidates, committees, and political parties are required to file reports. Candidates are required to register by filing an Organizational Report within ten (10) days from the date a candidate's committee receives contributions or makes expenditures in the aggregate amount of which is more than \$100. If the threshold is not exceeded, candidates must file the Organizational Report within 10 days of filing nomination papers with the Chief Election Officer or City/County Clerk.

Additionally, candidates or their committees must file reports of campaign contributions (receipts) and expenditures. All reports on campaign contributions must contain the name and address of each donor who contributes an aggregate of more than \$100, and the name, address, employer, and occupation of each donor who contributes an aggregate of \$1,000 or more in an election period. A record of the names and addresses of each donor who contributes more than \$25 must also be kept. See pages 3-7 for filing deadlines for campaign spending reports.

Candidates must notify the Commission prior to any fundraiser at which the price or suggested contribution is more than \$25 per person. A candidate may hold no more than two such fundraisers in an election period prior to a General or Special Election. Candidates seeking statewide office are exempt from this restriction.

All candidates who withdraw or cease to be candidates, committees directly associated with such candidates, individuals who receive contributions but fail to file for nomination, or committees or parties which discontinue their activities, must return surplus funds to the donors. If funds cannot be returned to the donors, the funds must escheat to the Hawaii Election Campaign Fund.

All political advertisements must contain the name and address of the candidate, committee, or party paying for the advertisement. In addition to this requirement, advertisements which support or oppose a candidate must have a prominent notice stating that the advertisement has or does not have the approval and authority of the candidate. Bumper stickers and other small campaign items are not covered by this disclosure requirement.

Contribution Limitations

State law limits the amount of contributions an individual, a noncandidate committee, the candidate and the candidate's family, and a political party may contribute to a candidate in an election. The amounts that each may contribute are listed below (Section 11-204, HRS).

Persons, noncandidate committees, political parties, political committees established and maintained by a national political party:

- Ⓒ Two-year office: an aggregate amount of up to \$2,000 in an election period;
- Ⓒ Four-year non-statewide office: an aggregate amount of up to \$4,000 in an election period; and
- Ⓒ Four-year statewide office: an aggregate amount of up to \$6,000 in an election period.

The candidate and the candidate's immediate family:

- Ⓒ All offices: up to \$50,000 to the candidate's campaign in any election period.
- Ⓒ The candidate has no limit on the amount of contributions they can make to their campaign.

NOTE: An election period is defined as the two-year period between general election days if a candidate is seeking nomination or election to a two-year office and the four-year time period between general election days if a candidate is seeking nomination or election to a four-year office (Section 11-191, HRS).

As a result of reapportionment, the terms of office for some State Senate candidates will be two years in the 2002 elections, however, contribution limits are to be treated as a four-year election period.

Hawaii Election Campaign Fund Public Finance Program

The Hawaii Election Campaign Fund provides partial public funding to all qualified candidates. This public financing may be used to help defray specific legitimate campaign expenditures only. Monies for this fund come from the voluntary state income tax check-off, general fund appropriations, and other sources.

Candidates who agree to abide by the campaign expenditure limits may apply for public funds under the public finance program. To be eligible to receive public funding, a candidate must:

- c file an Organizational Report;
- c abide with the state campaign expenditure limits by filing an "Affidavit of Compliance with the Voluntary Campaign Expenditure Limits"; and

NOTE: Candidates must file the "Affidavit of Compliance with Voluntary Campaign Expenditure Limits" with the Campaign Spending Commission at the time of filing nomination papers with the Chief Election Officer or the County Clerk.

- c file the "Statement of Intent to Seek Qualifying Campaign Contributions."

Voluntary Expenditure Limitations

Expenditure limitations are voluntarily imposed, but are mandatory for those participating in the public finance program. The expenditure limitation is calculated by multiplying the respective number of registered voters from each respective voting district in the previous General Election by the following amounts:

Governor	\$2.50
Lieutenant Governor	\$1.40
Mayor	\$2.00
State Senator & State Representative	\$1.40
Councilmember & Prosecuting Attorney	\$1.40
BOE Member, OHA Trustee, and all other candidates	\$0.20

Specific limits for each office may be obtained from the *Public Funding Guidebook* for Candidate Committees which is available from the Campaign Spending Commission.

A candidate who exceeds the expenditure limits must pay the full filing fee. The candidate must also notify all opponents, the Chief Election Officer, and the Campaign Spending Commission by telephone and in writing on the day the expenditure limits are exceeded. The candidate must also notify all contributors within 30 days of exceeding the limit. Notification to contributors shall include the announcement that a tax deduction based on their contribution is no longer available.

Qualifying Campaign Contributions

As a pre-condition to receiving public financing, a candidate must be in receipt of the following sum of qualifying campaign contributions for the candidate's respective office for each election (primary elections and general elections are separate elections) (Section 11-219, HRS).

Governor	\$100,000
Lieutenant Governor	\$50,000
Mayor, City & County of Honolulu	\$50,000
Mayor, County of Hawaii	\$15,000
Mayor, County of Maui	\$10,000
Mayor, County of Kauai	\$5,000
Prosecuting Attorney, City & County of Honolulu	\$30,000
Prosecuting Attorney, County of Hawaii	\$10,000
Prosecuting Attorney, County of Kauai	\$5,000
City Council, City & County of Honolulu	\$5,000
County Council, County of Hawaii	\$1,500
County Council, County of Maui	\$5,000
County Council, County of Kauai	\$3,000
State Senator	\$2,500
State Representative	\$1,500
BOE Member, OHA Trustee, and all other offices	\$500

A qualifying campaign contribution is defined as a contribution of \$100 or less by any person during any matching payment period. Qualifying contributions do not include loans or in-kind contribution.

Public Funds

Candidates for Governor, Lieutenant Governor, and Mayor in any election year may receive up to twenty percent (20%) of the applicable expenditure limit for a particular office from the Hawaii Election Campaign Fund.

Candidates for State Senator, State Representative, Councilmember, and Prosecuting Attorney may receive up to thirty percent (30%) in any election year. Candidates for Board of Education and all others, may receive up to \$100 in any election year. Up to one-half of the election year limit is available for each election (Section 11-218, HRS).

The matching payment periods are:

Primary Election

From January 1 of the year of a General Election through the day of the Primary Election, or nine months prior to a Special Election through the date of such election; and

General Election

From January 1 of the year of a General Election through the day of the General Election.

The law disqualifies unopposed candidates from applying for and receiving public funds.

Tax Deductions

Taxpayers are allowed to deduct up to an aggregate amount of \$1,000 for contributions made to candidates who have agreed to abide by the voluntary spending limits, but not more than \$250 of an individual's total contribution to any single candidate shall be deductible (Section 235-7(g), HRS).

<p>Penalties for Violation</p>

The Campaign Spending Commission will notify a candidate by first class mail that he/she has failed to file a report or that a report is deficient or defective. Corrections or explanations to reports must be submitted in writing to the Commission or to the Office of the County Clerk not later than 4:30 p.m. on the fifth day after the notification has been mailed. Failure to file a report is an automatic \$50 fine.

The Campaign Spending Commission may publish notices in the newspaper of the names of candidates and/or committees who fail to respond to the notification of failure to file. Penalties of \$50 per day will be imposed on candidates and/or committees whose names are published in the newspaper for noncompliance.

Public notice may be given of:

- C candidates who agree to abide by the expenditure limits;
- C candidates who agreed to the respective limits but exceeded the limit;
- C candidates who failed to file required reports, or who failed to correct deficient or defective reports after notification; and
- C any flagrant violations of the campaign finance and reporting laws.

Administrative fines may be assessed against candidates and committees found to be in violation of the campaign spending laws. Willful violations will be prosecuted as misdemeanors and convictions will disqualify a person from holding elective public office for a period of four (4) years from the date of conviction.

For More Information

Campaign Spending Commission
Leiopapa A Kamehameha Building (State Office Tower)
235 South Beretania Street, Room 300
Honolulu, Hawaii 96813

Telephone: (808) 586-0285
Fax: (808) 586-0288
E-Mail: aloha@csc.state.hi.us
Web Page (URL): <http://www.hawaii.gov/campaign>

To call toll free, neighbor island residents should dial the number listed below for their respective island. When the automated voice instructs you to enter the last five digits of the state office you wish to call enter "6-0285" for the Campaign Spending Commission.

Hawaii	(808) 974-4000
Kauai	(808) 274-3141
Lanai	1-800-468-4644
Maui	(808) 984-2400
Molokai	1-800-468-4644

State Ethics Commission

The State Ethics Code is a code of conduct for state legislators, state officials and employees (excluding justices and judges), and state board and commission members. It was created to ensure that state officers and employees exhibit the highest standards of ethical conduct. The code is administered by the State Ethics Commission and is set forth in Chapter 84 of the Hawaii Revised Statutes (HRS).

The State Ethics Commission consists of five members appointed by the Governor, who fills each commission position by selecting one of two individuals nominated for each vacancy by the Judicial Council. The Commission, whose primary function is to administer the State Ethics Code, is responsible for;

- C initiating, receiving, and considering charges of alleged violations of the ethics code;
- C issuing advisory opinions to state officers and employees regarding the ethics code's application to specific situations;
- C administering the disclosure of financial interests law (Section 84-17, HRS);
- C administering the gifts disclosure law (Section 84-11.5, HRS);
- C administering the lobbyist law (Chapter 97, HRS); and
- C educating state officers, employees, and citizens on matters of governmental ethics.

Candidate Financial Disclosure Forms Filing Procedures

Candidates for State Offices

All candidates for state elective offices are required by state law to file a disclosure of financial interests with the State Ethics Commission.

These disclosures are public record and are available for public inspection (Section 84-17, HRS). An introductory letter regarding procedures for filing the financial disclosure forms will be given to candidates when they pick up nomination papers. When candidates file their nomination papers, they will receive a financial disclosure form, either from the Office of Elections or the Office of the City/County Clerk. **Candidates should file their financial disclosure forms with the State Ethics Commission after filing their nomination papers.** The State Ethics Commission will send an acknowledgment to candidates upon receipt of their disclosure forms.

Candidates for County Offices

Candidates for county elective offices should not file financial disclosure forms with the State Ethics Commission. Instead, they are required to file financial disclosure forms with the appropriate Office of the City/County Clerk and/or with the County's Ethics Commission.

NOTE: Candidates for County of Kauai contests must file financial disclosure reports directly with the County Board of Ethics in the Office of the Mayor.

2002 Deadlines

Candidates for State Elective Office Other than OHA

Financial disclosure forms must be filed with the State Ethics Commission. Do not file disclosure forms with the Office of Elections or the Office of the City/County Clerk. Disclosure forms for candidates for state elective office, excluding OHA candidates, must be filed and **received** by the State Ethics Commission no later than **Tuesday, September 3, 2002.**

Candidates for OHA

Financial disclosure forms must be filed with the State Ethics Commission. Do not file disclosure forms with the Office of Elections or the Office of the City/County Clerk. Disclosure forms for candidates for the Office of Hawaiian Affairs Board of Trustees must be filed and **received** by the State Ethics Commission no later than **Wednesday, October 16, 2002.**

Because of the limited time between the filing deadline and the election, no extensions are granted. Disclosure forms must be **received** (not simply postmarked) by the State Ethics Commission by the deadline date. Neighbor island candidates, therefore, are advised to allow sufficient mailing time to meet this deadline. Candidates may also deliver disclosure forms to the State Ethics Commission in person.

As required by statute, the Commission shall release a public list of the names of candidates who have not complied with the applicable filing deadlines and shall immediately assess a \$25 late filing penalty fee against those candidates. The Commission may also investigate whether a candidate's financial disclosure statement discloses the interests required to be reported. The Commission may conduct a hearing and issue a **public** decision as to whether a candidate has complied with the financial disclosure law (Section 84-17, HRS).

Campaign Ethics

Candidates for state elective offices should be aware that there are ethical guidelines that govern the political campaign activities of state officials, board and commission members, and employees. Copies of the Commission's flyer "*Campaign Restrictions For State Officials and State Employees*" are available from the State Ethics Commission. To avoid inadvertent violations of the State ethics laws, refer to HRS Chapter 84 or contact the State Ethics Commission for information and guidance.

For More Information

Hawaii State Ethics Commission
1001 Bishop Street
Pacific Tower, Suite 970
Honolulu, Hawaii 96813

OR

Hawaii State Ethics Commission
P.O. Box 616
Honolulu, Hawaii 96809

Telephone: (808) 587-0460
Fax: (808) 587-0470
E-Mail: ethics@ethics.state.hi.us
Web Page (URL): <http://www.state.hi.us/ethics>

Frequently Asked Questions

Do I have to pick up my nomination papers in person?

No, you may authorize someone to pick up your nomination papers on your behalf. If you authorize someone to pick up your nomination papers on your behalf be sure the authorized person is able to provide specific information about you, i.e., legal name, date of birth, social security number, home and mailing address, home and business phone numbers, and contact person.

Once nomination papers are issued, NO alterations/changes can be made. If the information is incorrect, the nomination papers will not be accepted for filing.

Why should I pick up my nomination papers in person?

You are responsible for knowing the laws and complying with the filing requirements whether you pick up your nomination papers in person or have an authorized person pick up the papers for you. If you pick up your nomination papers in person, the person issuing the papers will explain the filing process and answer any questions you may have. If you are a first time candidate, we strongly recommend that you pick up your nomination papers in person.

What should I do if I lose my nomination papers?

If you lose your nomination papers, contact the office that issued the nomination papers for another set. You must still acquire the required signatures and meet the filing deadline and requirements.

What should I do if I decide to run for a different office or

Do not change any information on the nomination papers. Nomination papers that have been altered in any way will not be accepted for filing. If you wish to make a change on the nomination papers, you must request a new set.

Can someone other than myself file my nomination papers or can I mail them in?

Our laws do not prohibit a candidate from having another person file his/her nomination papers or from filing papers through the mail; however, we strongly recommend that you file your nomination papers in person to make sure that you fulfill all of the requirements.

Each candidate is required to sign many documents in the nomination process. If any document is incomplete, the problem can be easily rectified when a candidate files in person. For example, a candidate must subscribe to an Oath of Loyalty/Affirmation before a notary public or public official authorized to issue oaths. All of the candidate filing offices have notaries (or have access to a notary) or officials authorized to issue oaths. As such, it is much easier for a candidate to file in person and have the oath/affirmation administered at the time the candidate files his/her nomination papers.

What do I need when I come in to file my nomination papers?

You will need the following items when you come in to file your nomination papers.

- C Your original nomination papers containing at least the minimum signatures required;
- C Your filing fee in the form of cash, money order, certified check, or cashier's check (state or federal candidates filing on the neighbor islands are requested to pay by money order or certified/cashier's check);

NOTE: Personal/Campaign Checks will not be accepted.

- C The "Affidavit of Compliance with Voluntary Campaign Expenditure Limits" or the Campaign Spending receipt if you wish to qualify for the discounted filing fee; and
- C A current identification containing your picture and signature (such as driver license or State I.D.) is required when you take the Oath of Loyalty/Affirmation on the nomination papers.

May I change the way my name will appear on the ballot after I file my nomination papers?

No. Once you file your nomination papers and pay your filing fee, you will not be allowed to alter your nomination papers in any way. This includes changing the way your name will appear on the ballot as designated on your nomination papers. Make sure your name is spelled correctly before you file your nomination papers and pay the filing fee.

What do I have to do if I change my mind about being a candidate after filing nomination papers?

Once you file your nomination papers, you must officially withdraw from the election by submitting a written request to withdraw to the Chief Election Officer, or to the City/County Clerk (in the case of county offices), by the withdrawal deadlines (see pages 1-8) The written request must include:

- C the candidate's full name as it appears on the nomination papers;
- C a statement requesting to withdraw his/her candidacy;
- C the contest and party affiliation which appears on the nomination papers;
- C the date of the request; and
- C the candidate's signature.

You may withdraw for any reason up to 4:30 p.m. on the day immediately following the close of filing. After this deadline, you have until the twentieth day prior to the election to withdraw for reasons of ill health only. Requests to withdraw for reasons of ill health must be accompanied by a statement from a licensed physician indicating that such ill health may endanger the candidate's life.

May I add additional signatures to my nomination papers after I file them?

No. Once you file your nomination papers and pay your filing fee, you will not be allowed to alter your nomination papers in any way. This includes adding additional signatures to your nomination papers. You are responsible for ensuring that the people who sign your nomination papers are qualified voters and reside in the correct district before they sign your nomination papers. Make sure your nomination papers contain the required number of signatures of qualified voters in the district before you file your nomination papers.

What happens if some of the people who sign my nomination papers are not registered voters, or do not live within

Signatures of persons who are not properly registered to vote or who do not reside in the correct district will not be counted. The Office of Elections, or the Office of the City/County Clerk, will verify that the people who sign your nomination papers are properly registered and eligible to sign your nomination papers before you file the nomination papers.

Obtain more than the required number of signatures and file your nomination papers early to avoid the consequence of insufficient signatures. If you wait until the last day to file your nomination papers and the number of signatures, for any reason, are insufficient, you may not be qualified to be a candidate. If you file early, and the number of valid signatures on your nomination papers is insufficient, you will have an opportunity to obtain additional signatures before filing your nomination papers.

What happens if my nomination papers do not have the required number of signatures or are incomplete in any way?

State law prohibits the Chief Election Officer or City/County Clerk from accepting or filing any nomination paper that is incomplete or does not have the required number of valid signatures.

If I am running as a partisan candidate, by what date do I have to

You must be a member of the political party from which you seek office before you file your nomination papers. Our state law requires that you sign a certification, by self-subscribing oath, which states that you are a member of the specific party when you file your nomination papers. If you are not a member of the party when you file nomination papers, you may be disqualified on that basis.

What if I change my residence address after I file my nomination papers?

Once you file your nomination papers and pay your filing fee, you may not alter your nomination papers in any way. This includes changing the residence address listed on your nomination papers. Although we will not make a change directly on the nomination papers, we will attach your written notification of your change of address to your nomination papers.

If the list of candidates has not been certified, you may request that the information in that list be updated. If the list has already been certified, then we will not make the change to that list. We will, however, retain the change of residence address as part of your record.

If I run as a nonpartisan candidate in a partisan office, will I automatically go on the General Election

No, nonpartisan candidates who seek a partisan office must qualify for the General Election. To qualify for the General Election, a nonpartisan candidate must;

- C receive at least ten per cent (10%) of the total votes cast for the office for which the person is a candidate at the Primary Election;
OR
- C receive a vote equal to the lowest vote received by the partisan candidate who was nominated in the Primary Election for that office.

NOTE: If more nonpartisan candidates qualify to run in the General Election than there are offices (seats) available, there shall be certified as candidates those receiving the highest number of votes, but not more candidates than there are offices (seats) to be elected.

The nonpartisan qualification provisions listed above do not apply to candidates running in the following nonpartisan elections: City & County of Honolulu offices, County of Hawaii offices, County of Kauai offices, County of Maui offices, Board of Education offices, and Office of Hawaiian Affairs (OHA) offices.

When and why must an elected official resign from public office?

The resignation requirements apply only to State and County offices. A State or County elected official must resign from public office if the official is seeking another State or County elective office **and** the elected official's term does not end at the same election. For more specific information, call the Office of Elections at 453-VOTE. Neighbor island residents may call toll free by dialing 1-800-442-VOTE.

In what order will candidate names appear on the ballot?

Our laws require that the names of the candidates shall be placed upon the ballot for their respective offices in alphabetical order by the candidate's last name except for those cases listed below.

Candidate Vacancies

The name of the replacement candidates shall be printed in an available and appropriate place on the ballot, not necessarily in alphabetical order; and

Vice President or Lieutenant Governor

In the general election, the name of the candidate for Vice President or Lieutenant Governor shall be placed immediately below the name of the candidate for president or governor, respectively, of the same political party. The teams are placed on the ballot in the order of the last name of the candidate for president and governor, respectively.

How can I get a list of candidates?

Lists of applicants and candidates are updated and available to be picked up from the Office of Elections and the Offices of the City/County Clerks once a week during the candidate filing period. The lists are usually available every Monday after 2:30 p.m.. These lists will not be mailed or faxed by any of the offices.

The most current list is also placed on the Office of Elections web page located at www.state.hi.us/elections. The list is usually available every Tuesday morning.

Where can I get preprinted mailing labels?

Generally, preprinted mailing labels may be obtained for a fee from various service bureaus. The preprinted mailing labels may be obtained and used for election purposes only. Contact the Office of your City/County Clerk for additional information.

How are candidates for City & County of Honolulu offices elected?

Candidates for City offices run in nonpartisan Special Election(s) held in conjunction with the regularly scheduled election(s).

First Special Election

A candidate who receives a majority of votes cast (50% plus one) for the office in the First Special Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election.

If no candidate receives a majority (50% plus one) of the votes cast for the office in the First Special Election, a Second Special Election will be held in conjunction with the General Election.

Second Special Election

The two candidates who received the most votes in the First Special Election will appear in the Second Special Election. The candidate who receives the highest number of votes at the Second Special Election is deemed elected.

How are candidates for County of Kauai offices elected?

Candidates for County of Kauai offices run in nonpartisan election(s) held in conjunction with the regularly scheduled election(s).

First Nonpartisan Election

Mayor and Prosecuting Attorney: A candidate who receives a majority of votes cast (50% plus one) for the office in the First Nonpartisan Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Nonpartisan Election.

At-Large Councilmembers: The candidates receiving the highest number of votes shall be elected to fill each at-large council office provided the candidate or candidates receive at least thirty percent (30%) of all votes cast for all at-large council offices in the First Nonpartisan Election, held in conjunction with the Primary Election.

Second Nonpartisan Election

Mayor and Prosecuting Attorney: If no candidate receives a majority (50% plus one) of the votes cast for the office in the First Nonpartisan Election, a Second Nonpartisan Election will be held in conjunction with the General Election. The two candidates who receive the most votes in the First Nonpartisan Election will appear in the Second Nonpartisan Election. The candidate who receives the most votes at the Second Nonpartisan Election is deemed elected.

At-Large Councilmembers: If any at-large council office remains to be filled after the First Nonpartisan Election, two candidates for each vacant at-large council office shall be placed on the ballot. The names of the candidates receiving the highest number of votes cast in the First Nonpartisan Election, other than the name of any candidate elected after the First Nonpartisan Election, shall be placed on the ballot until a sufficient number of candidates are on the ballot as provided in this subsection. At the Second Nonpartisan Election, the candidates receiving the highest number of votes for each vacant at-large office shall be elected.

How are candidates for County of Maui offices elected?

Candidates for County of Maui offices run in nonpartisan Special Elections held in conjunction with the regularly scheduled elections.

First Special Election

If there are two or fewer candidates, the names of the candidates shall appear only on the ballot for the Second Special Election, held in conjunction with the General Election.

The two candidates receiving the highest number of votes for each seat shall be placed on the ballot for the Second Special Election; provided that if two or more candidates tie for the highest number of votes received in the First Special Election, the names of the candidates tied for the highest number of votes shall be placed on the ballot for the Second Special Election. Further, if a single candidate receives the highest number of votes in the First Special Election and two or more candidates tie for the second-highest number of votes received, the names of the candidate receiving the highest number of votes and the candidates tied for the second-highest number of votes shall be placed on the ballot for the Second Special Election.

Second Special Election

The candidate receiving the highest number of votes shall be deemed elected. If there is no more than one candidate for a seat, such person shall be deemed elected regardless of the number of votes received.

How are candidates for County of Hawaii offices elected?

Candidates for County of Hawaii run in nonpartisan Special Election(s) held in conjunction with regularly scheduled election(s).

First Special Election

A candidate who receives a majority of votes cast for the office in the First Special Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election.

If no candidate receives a majority of the votes cast for the office in the First Special Election, a Second Special Election will be held in conjunction with the General Election.

Second Special Election

The two candidates who received the most votes in the First Special Election will appear in the Second Special Election. The candidate who receives the highest number of votes at the Second Special Election is deemed elected.

STATE OF HAWAII OFFICE OF ELECTIONS

802 Lehua Avenue
Pearl City, Hawaii 96782

Phone: (808) 453-VOTE (8683)
Fax: (808) 453-6006
Neighbor Islands: 1 (800) 442-VOTE (8683)

E-Mail: elections@aloha.net
Web Page (URL): <http://www.state.hi.us/elections>

Dwayne D. Yoshina Chief Election Officer
Lori E. Tomczyk Ballot Operations Coordinator
Stacy Y. Honma Ballot Operations Specialist

Available Election Material

- C Election Laws of Hawaii Handbook
- C Results of Votes Cast 1959 to 2000
- C Results of Votes Cast 1968 and 1978 (Constitutional Convention)
- C Political Boundary Maps (\$3.00 each)
- C Written Description of District and Precinct Boundaries
- C List of Applicants/Candidates for 2002 Elective Offices
- C Factsheets Containing Information of Elections
- C Campaign Spending Forms and Materials
- C State Financial Disclosure Forms
- C Wikiwiki Voter Registration Forms

For Use in the Office of Elections

- C Hawaii Revised Statutes
- C Session Laws of Hawaii (most years)
- C 1973,1984, 1991 Report and Reapportionment Plan
- C Voter Register (for election purposes only)
- C Political Boundary Maps

COUNTY OF HAWAII

OFFICE OF THE COUNTY CLERK

25 Aupuni Street,
Hilo, Hawaii 96720

Phone: (808) 961-8277
Fax: (808) 961-8673

Alan Konishi County Clerk
Pat Nakamoto Elections Administrator
Gina Bernabe-Haina Program Specialist

Financial Disclosure Statements

Hawaii County Code, Chapter 2, Article 15, Section 2-91.1, requires that all elected officials and candidates for county office must file financial disclosure statements with the Office of the County Clerk - Elections Division. Candidates for elective county office, including incumbents, shall file statements within (10) working days after the deadline for filing for office. Additionally, elected officials must file disclosure statements within (20) working days after taking the oath of office and on/or before January 31 of each year thereafter until the end of the term of office.

Campaign Sign Regulations

Hawaii County Code, Chapter 3, Section 3-2, Definitions:

(8) "Sign" shall mean any sign, device, figure, painting, drawing, message, placard, poster, billboard, ground sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, marquee sign, awning, canopy, and street clock, and includes any announcement, declaration, demonstration, display,

illustration or insignia used to advertise or promote the interests of any person when it is placed out of doors on real property in buildings or structures on real property or buildings in view of the general public.

Hawaii County Code, Chapter 3, Section 3-32(a)(1), Exempt Signs:

(D) Political Campaign Signs: Any sign or poster not exceeding one square foot in area, announcing a candidate seeking political office; provided that the sign or poster is permitted only for a period of 60 days preceding a general or special election and for a period of 10 days following such election.

Available Election Material

- C Election Laws of Hawaii Handbook
- C Campaign Spending Forms & Materials
- C State Financial Disclosure Forms
- C County Disclosure of Financial Interests Forms
- C List of Polling Places
- C Regional and Island Maps (\$5.50)
- C List of Registered Voters
 - Council Districts (\$10.00/district)
 - Representative Districts (\$12.00 district)
 - Senatorial District (\$24.00/district)
- C Purchase of Voter Registration Data File for Election Purposes only (Contact the County Clerk for more information).

For Use in County Clerk's Office

- C 1999-2000 Reports of Campaign Contributions & Expenditures
- C 2000 Results of Votes Cast
- C Voter Register (for public use and election purposes only)

COUNTY OF MAUI

OFFICE OF THE COUNTY CLERK

200 South High Street
Wailuku, Hawaii 96793

Phone: (808) 270-7749
Fax: (808) 270-7171

Roy T. Hiraga County Clerk
Diane Wakamatsu Deputy County Clerk
Shirley Magarifuji Sr. Elections Clerk
Larrie Plunkett Elections Clerk

Financial Disclosure Statements

Section 10.3 of the Maui County Charter requires that all elected county officers and all candidates for elective county office file financial disclosure forms with the Board of Ethics and the County Clerk within (15) days of taking office or within (15) days of filing nomination papers as a candidate for an elected county office. Such financial disclosures shall be open to public inspection.

Campaign Sign Regulations

Maui County Code, Chapter 16.12A, Outdoor Signs:

Section 16.12A.030, Definitions.:

“Political Campaign Sign” means a temporary sign supporting the candidacies of persons seeking political office.

Section 16.12A.090, Signs Authorized for all districts without a permit.:

(D) Signs or posters not exceeding eighteen square feet in display surface, announcing candidates seeking political office; provided that such signs or posters shall be permitted only for a period of seventy-five days preceding a general or special election and for a period of ten days following such election.

Available Election Material

- C Election Laws of Hawaii Handbook
- C Campaign Spending Forms & Materials
- C County Disclosure of Financial Interests Forms
- C Purchase of Voter Registration Data File for Election Purposes Only (Contact the County Clerk for more information).
- C State Financial Disclosure Forms

For Use in County Clerk's Office

- C 2000 Results of Votes Cast
- C Voter Register (for public use and election purposes only)

COUNTY OF KAUAI

OFFICE OF THE COUNTY CLERK

4396 Rice Street
Lihue, Hawaii 96766

Phone: (808) 241-6350
Fax: (808) 241-6207
E-Mail: cokelect@aloha.net

Peter Nakamura County Clerk
Ernie Pasion Deputy Clerk
Lyndon Yoshioka Elections Administrator

Financial Disclosure Statements

Section 3-1.9 of the Kauai County Code requires that candidates for elective county office shall, within (7) seven days of filing nomination papers, file with the Board of Ethics a financial disclosure statement. Upon assuming office, newly elected officials shall file an amended financial disclosure statement within (30) days of assuming office.

Campaign Sign Regulations

Ordinance Number 499 (Amending Chapter 15, Article 4 of the Kauai County Code) Relating to Outdoor Signs: **Section 15-4.6**

Signs Not Requiring A Permit

The following types of signs are exempt from the permit requirements of this Article, but must comply with the requirements of Section 15-4.4; Section 15-4.7 (a) (obstructing free ingress and egress), (b) (interfering with public alarms, signals or signs), (c) (proper construction) and (l) (measurement of signs); and Section 15-4.10 (penalties).

Temporary Signs:

Political Campaign Signs. Any sign which:

- C Identifies the headquarter of a political candidate. Only one sign per candidate shall be allowed, and it shall not exceed twenty-four (24) square feet.
- C Identifies and/or provides information about a political candidate or issue to be voted upon. It shall not exceed three (3) square feet, nor be posted more than forty-five (45) days prior to the date of the election to which it pertains, or within the right-of-way boundary, or be visible from, any federal-aid or state highway, nor remain posted more than ten (10) days after the election to which it pertains.

The 1984 Council Resolution Number 173 (as amended) urges all candidates for elected office on Kauai to voluntarily and unanimously refrain from roadside political sign-holding other than on election day and other than by themselves individually.

Available Election Material

- C Election Laws of Hawaii Handbook
- C Campaign Spending Forms & Materials
- C Ethics Commission Forms
- C Certificate of Registration (\$1.00)
- C Certified Copy of Registration Affidavit (\$1.00)
- C Purchase of Voter Registration Data File for Election Purposes Only (Contact the County Clerk for more information)
- C Purchase of Voter Registration Street Directory (Contact the County Clerk for more information)
- C Election Maps (Contact the County Clerk for more information)

For Use in County Clerk's Office

- C Election Maps
- C 2000 Results of Votes Cast
- C Voter Register (for public and election purposes only)

CITY & COUNTY of HONOLULU

OFFICE OF THE CITY CLERK

Honolulu Hale
530 South King Street, Room 100
Honolulu, Hawaii 96813
Phone: (808) 523-4293
Fax: (808) 527-6888
Web Page (URL):
www.co.honolulu.hi.us/council/elect.htm

Genevieve Wong City Clerk
Glen Takahashi Elections Administrator
Faith Chung Assistant Elections Administrator

Financial Disclosure Statements

Section 3-8.4 of the Revised Ordinances of Honolulu requires that candidates for City & County of Honolulu elective offices, including incumbents, file financial disclosure statements with the Office of the City Clerk within (10) working days after the deadline for filing for office. Additionally, elected officials must file financial disclosure statements within (20) working days after taking the oath of office on/or before January 31 of each year thereafter until the end of the term of office.

Campaign Sign Regulations

General Regulations

Political campaign signs fixed to the ground or to a structure were prohibited under Section 21-3.90-2(d) of the Land Use Ordinance (LUO). This prohibition, however, was found unconstitutional by the courts and was repealed by the Council. Therefore, no regulation exists at present.

Campaign Headquarters Sign

Signs identifying the campaign headquarters of a political candidate or issue are permitted, and are regulated as “business signs.” Such signs must be located on the premise of the headquarters, and are subject to the LUO sign regulations regarding number, type, and size for the underlying zoning district (see Section 21-3.90-3).

Signs associated with campaign headquarters which are located in the following places are regulated:

- C on the lot outside the campaign office; or
- C on the exterior face of the building where the campaign headquarters is located; or
- C directly fixed to a window (inside or outside) of the campaign office when they can be seen from a public right-of-way or the parking lot of an adjoining lot.

Before installing a headquarters sign, it is necessary to obtain a sign permit issued by the Planning and Permitting Department located in the Honolulu Municipal Building. Detailed information on such signs and interpretation or clarification of the rules may be obtained over the business counter or by calling the Planning and Permitting Department, Permit Issuance Section, at 523-4505.

Bumper Stickers

The LUO does not regulate advertisements fixed to a motor vehicle.

Hand Carried Signs

The LUO does not regulate political signs carried by individuals.

Aerial Advertisement

No person shall use any type of aircraft or other self-propelled or buoyant airborne object to display in any manner or for any purpose whatsoever any sign or advertising device. For the purpose of this section, a “sign or advertising device” includes, but is not limited to, a poster, banner, writing, picture, painting, light, model, display, emblem, notice, illustrations, insignia, symbol, or any other form of advertising sign or device.

Available Election Material

- C Election Laws of Hawaii Handbook
- C Campaign Spending Forms & Materials
- C Ethics Commission Forms
- C Certificate of Registration (\$1.00)
- C Voter Registration Street Directory
(Contact the County Clerk for more information)
- C Council District Maps Description Book (\$10.00)

For Use in City Clerk’s Office

- C 2000 Results of Votes Cast
- C Voter Register (for election purposes only)

Qualifications for 2002 Elective Office

General Qualifications (Each Candidate Must Be):

- C A United States Citizen;
- C A resident of Hawaii; and
- C (18) eighteen years of age.

Pursuant to Section, 8321-2, HRS, a person sentenced for a felony may not become a candidate form the time of the person's sentence until the person's final discharge.

FEDERAL OFFICE - U.S. REPRESENTATIVE	
Term	2 years - January 2003 to January 2005
District	2 Seats - Congressional Districts I & II
Qualifications	U.S. Citizen 7 years prior to election; Resident of Hawaii; and 25 years of age.
Nomination Requirements	File nomination papers containing not less than 25 signatures of registered voters of Congressional District by July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$75.00
Compensation	\$141,300

NOTE: The next scheduled election for U.S. Senator is 2004.

STATE OFFICES - GOVERNOR & LIEUTENANT GOVERNOR

Term	4 Years - December 2002 to December 2006
District	1 Seat statewide
Qualifications	Resident of Hawaii for not less than 5 years prior to election; Qualified voter of Hawaii; and 30 years of age.
Nomination Requirements	File nomination papers containing not less than 25 signatures of registered voters of Hawaii by July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$ 750.00 (Discounted Filing Fee: \$75.00)
Compensation	Governor: \$94,780 Lieutenant Governor: \$90,041

STATE OFFICES - STATE SENATE

Term	2 year - November 2002 - November 2004 (Districts: 1, 3, 5, 6, 7, 12, 16, 17, 18, 21, 22, 23) 4 year - November 2002 - November 2006 (Districts: 2, 4, 8, 9, 10, 11, 13, 14, 15, 19, 20, 24, 25)
District	25 of 25 seats
Qualifications	Resident of Hawaii for not less than 3 years prior to election; and Qualified voter of appropriate State Senatorial District.
Nomination Requirements	File nomination papers containing not less than 15 signatures of registered voters of State Senatorial District by July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$250.00 (Discounted Filing Fee: \$25.00)
Compensation	Senate President: \$32,000 plus \$5,000 allowance Senate Member: \$27,000 plus \$5,000 allowance

STATE OFFICE - STATE REPRESENTATIVE

Term	2 Years - November 2002 to November 2004
District	All 51 Representative District seats
Qualifications	Resident of Hawaii for not less than 3 years prior to election; and Qualified voter of appropriate State Representative District.
Nomination Requirements	File nomination papers containing not less than 15 signatures of registered voters of State Representative District by July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$250.00 (Discounted Filing Fee: \$25.00)
Compensation	House Speaker: \$32,000 plus \$5,000 allowance House Member: \$27,000 plus \$5,000 allowance

STATE OFFICE - OFFICE OF HAWAIIAN AFFAIRS

Term	4 Years - November 2002 to November 2006
District	5 of 9 seats 3 - No island Residency 1 - Resident of Maui 1 - Resident of Oahu
Qualifications	Resident of respective island for seats requiring residency; and Qualified voter of Hawaii.
Nomination Requirements	File nomination papers containing not less than 25 signatures of registered voters by September 6, 2002 (4:30 p.m.); and Submit Filing Fee: \$250.00 (Discounted Filing Fee: \$25.00)
Compensation	OHA Chairperson: \$37,000 OHA Trustee: \$32,000

STATE OFFICE - BOARD OF EDUCATION

Term	4 Years - November 2002 to November 2006
District	6 of 13 Seats <u>First School Board District</u> 3 - No residency requirement 1 - 4 th Department (Central Oahu) 1 - 6 th Department (Windward Oahu) <u>Second School Board District</u> 1 - 2 nd Department (Maui County)
Qualifications	Resident of Departmental School District for seats requiring residency; and Qualified voter of School Board District.
Nomination Requirements	File nomination papers containing not less than 25 signatures of registered voters of School Board District by July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$250.00 (Discounted Filing Fee: \$25.00)
Compensation	\$100 per day when attending meetings. Neighbor island members receive per diem.

COUNTY OF HAWAII - COUNTY COUNCIL

Term	2 Years - December 2002 to December 2004
District	9 seats Council District 1 to 9
Qualifications	Resident and registered voter of Council District at least 90 days prior to Primary Election; and Qualified voter of Hawaii County for at least (1) one year prior to election.
Nomination Requirements	File nomination papers containing not less than 15 signatures of registered voters of appropriate Council District by July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$250.00 (Discounted Filing Fee: \$25.00)
Compensation	Chairperson: \$33,532 Member: \$30,195

NOTE: If a candidate receives a majority of the votes cast for the office in the First Special Election (held in conjunction with the Primary Election), then the candidate is deemed elected. If no candidate receives a majority of the votes cast, then the top two candidate will go on to the Second Special Election (held in conjunction with the General Election). The candidate who receives the most votes in the Second Special Election will be elected.

COUNTY OF MAUI - MAYOR	
Term	4 Years - January 2002 to January 2006
District	1 seat - County wide
Qualifications	Resident of Maui County at least 90 days prior to filing; and Qualified voter of Maui County.
Nomination Requirements	File nomination papers containing not less than 15 signatures of registered voters of Maui County July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$500.00 (Discounted Filing Fee: \$50.00)
Compensation	\$87,098
COUNTY OF MAUI - COUNTY COUNCIL	
Term	2 Years - January 2002 - January 2004
District	9 seats 1 - East Maui 1 - West Maui 1 - Wailuku - Waihee - Waikapu 1 - Kahului 1 - South Maui 1 - Makawao - Haiku - Paia 1 - Upcountry (Pukalani - Kula - Ulupalakua) 1 - Lanai 1 - Molokai
Qualifications	Resident of Maui County at least 90 days prior to filing; Resident of Council District (residency area); and Qualified voter Maui County.
Nomination Requirements	File nomination papers containing not less than 15 signatures of registered voters of Maui County by July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$250.00 (Discounted Filing Fee: \$25.00)
Compensation	Chairperson: \$48,000 Member: \$44,000

NOTE: Candidates must be a resident and registered voter of Council residency area when nomination papers are filed.
The Prosecuting Attorney in the County of Maui is appointed by the Mayor with the approval of the County Council.

COUNTY OF KAUAI - MAYOR	
Term	4 Years - December 2002 to December 2006
District	1 seat - County wide
Qualifications	Resident of Kauai County for at least 3 years prior to election; Qualified voter of Kauai County; and 30 years of age.
Nomination Requirements	File nomination papers containing not less than 15 signatures of registered voters of Kauai County July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$500.00 (Discounted Filing Fee: \$50.00)
Compensation	\$73,118

NOTE: Offices of the Mayor and Prosecuting Attorney:

Any candidate receiving a majority of the votes cast for that office in the First Nonpartisan Election (held in conjunction with the Primary Election) shall be elected; however, if there is only one candidate for each of said offices, such candidate shall be elected. Unless a candidate is elected in the First Nonpartisan Election, the names of the two candidates receiving the highest number of votes for these offices in the First Nonpartisan Election shall be placed on the ballot for the Second Nonpartisan Election (held in conjunction with the General Election). At the Second Nonpartisan Election the candidates receiving the highest number of votes for the office shall be elected.

COUNTY OF KAUAI - COUNTY COUNCIL	
Term	2 Years - December 2002 to December 2004
District	7 Seats At-Large County wide
Qualifications	Qualified voter of Kauai County for at least 2 years prior to election.
Nomination Requirements	File nomination papers containing not less than 15 signatures of registered voters of Kauai County July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$250.00 (Discounted Filing Fee: \$25.00)
Compensation	Chairperson: \$31,938 Member: \$28,744

NOTE: For the Office of County Council:

The candidates receiving the highest number of votes in the First Nonpartisan Election (held in conjunction with the Primary Election) shall be elected to fill each vacant at-large council office provided the candidate or candidates receive at least thirty percent (30%) of all votes cast for all at-large council offices. In the event of a tie for the last remaining at-large council office the candidates receiving the same number of votes shall be placed on the ballot for the Second Nonpartisan Election. If any at-large council office remains to be filled after the First Nonpartisan Election, two candidates for each vacant at-large council office shall be placed on the ballot. The names of the candidates receiving the highest number of votes cast in the First Nonpartisan Election, other than the name of any candidate elected after the First Nonpartisan Election, shall be placed on the ballot until a sufficient number of candidates are on the ballot as provided in this subsection (subsection 1.03.C.2.a.). At the Second Nonpartisan Election, the candidates receiving the highest number of votes for each vacant at-large office shall be elected. In the event of a tie vote in the Second Nonpartisan Election, the winner shall be determined by chance by a method chosen by the County Clerk.

CITY & COUNTY OF HONOLULU - HONOLULU CITY COUNCIL	
Term	Varies - see note below
District	9 Seats - Council Districts I-IX Council Districts: 1, 3, 5, 7, 9 (2 year term) Council Districts: 2, 4, 6, 8 (4 year term)
Qualifications	Resident and registered voter of respective Council District.
Nomination Requirements	File nomination papers containing not less than 15 signatures of registered voters of City Council District by July 23, 2002 (4:30 p.m.); and Submit Filing Fee: \$250.00 (Discounted Filing Fee: \$25.00).
Compensation	Chairperson: \$48,450 Member: \$43,350

NOTE: Council Districts (1,3,5,7,9) will be assigned a two-year term and council districts (2,4,6,8) will serve a four-year term beginning in January 2003.

All candidates will run in the Nonpartisan Special Election held in conjunction with the regularly scheduled elections.

If a candidate receives a majority of the votes cast for the office in the First Special Election (held in conjunction with the Primary Election), then the candidate is deemed elected. If no candidate receives a majority of the votes cast, then the top two candidates will go on to the Second Special Election (held in conjunction with the General Election). The candidate who receives the most votes in the Second Special Election will be elected.